



FreshProduce

ASSOCIATION OF THE AMERICAS

I-180

November 2, 2006

Patricia N. Daniels
Director
Supplemental Food Programs Division
Food and Nutrition Service
United States Department of Agriculture
3101 Park Center Drive, Room 528
Alexandria, Virginia 22302

WICHQ-SFPD@fns.usda.gov

Subject: Docket ID Number 0584-AD77, WIC Food Packages Rule

Dear Ms. Daniels:

On behalf of the over 100 members of the Fresh Produce Association of the Americas, I am writing to strongly support the inclusion of all fresh fruits and vegetables in the WIC Food Packages Proposed Rule. The FPAA wishes to thank both the Institute of Medicine (IOM) for their research and analysis in developing the *WIC Food Packages: Time for a Change* Report and the U. S. Department of Agriculture (USDA) for proposing important changes to WIC that are consistent with the 2005 Dietary Guidelines for Americans and align with the American Academy of Pediatrics infant feeding recommendations. The FPAA asserts that by having the USDA provide 8.2 million WIC moms, infants and young children with vouchers to purchase fruits and vegetables, the end result will produce healthier eating habits now and in the future.

The FPAA would also like to encourage and emphasize the following specific points as they relate to the proposed rule:

Follow Institute of Medicine's Recommendations for \$10 & \$8 Fruit and Vegetable Vouchers

Given that WIC families – and over 75% of all Americans --consume less than half of the fruits and vegetables recommended in the 2005 Dietary Guidelines for Americans, I strongly encourage USDA to follow the recommendations of the Institute of Medicine's (IOM) Report: "WIC Food Packages: Time for a Change" and provide WIC moms and children with \$10/month and \$8/month, respectively, cash-value vouchers for fruits and vegetables. Because of the importance of significantly increasing fruit and vegetable consumption, this vulnerable population should not be short changed. The \$10 and \$8/month vouchers, as noted by the IOM, will help moms and kids eat at least one additional serving of fruit or vegetable each day.

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Research clearly demonstrates that a diet rich in fruits and vegetables decreases the risk of high blood pressure, heart disease, certain cancers and obesity. Updated WIC food packages can help WIC moms and kids eat a wider variety of fresh fruits and vegetables that will improve their overall nutrient intake. After 32 years, it is critical that USDA take this opportunity to provide at least the \$10 and \$8/month fruit and vegetable voucher so that WIC families can eat a healthier diet.

Allow All Fresh Fruits and Vegetables

To maximize choice for WIC moms and kids, I strongly recommend that all fresh fruits and vegetables, including fresh white potatoes, be eligible for purchase using the fruit and vegetable voucher. Furthermore, the seasonality of many products make it difficult for the government to regiment a program that will ensure the appropriate quality of product that will attract WIC users to maximize appropriate choices that will advance the nutritional goals of the program. USDA should not exclude a specific product or create additional rules restricting the origin of product within the eligible fresh fruit and vegetable options.

The three pilot WIC Fruit and Vegetable Projects in California and New York State successfully demonstrated that WIC moms purchased a wide variety of nutrient dense fresh fruits and vegetables when given a voucher. WIC moms made wise choices when allowed to make their own purchase decisions. The pilot projects also demonstrated that WIC moms highly valued the fruit and vegetable vouchers; redemption rates were above 90%. Also noteworthy, was the ease with which supermarkets handled the fruit and vegetable vouchers.

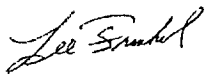
State WIC Agencies Should Maximize Choice

It is also critically important that State and local WIC agencies allow WIC moms and kids maximum choice in purchasing fruits and vegetables with their vouchers. Therefore, USDA should not give State WIC agencies the authority to restrict or limit choice in any way. As demonstrated in the pilot projects, WIC moms choose a wide variety of nutrient dense fruits and vegetable when provided with a voucher that allowed them to make their own purchase decisions within the fresh fruit and vegetable category.

In closing, the addition of fresh fruits and vegetables to WIC Food Packages will reinforce nutrition education messages already provided to WIC moms. Furthermore, it is critical for the long term credibility of the WIC program to allow WIC moms to have the resources to put this nutrition education into practice.

I commend USDA for this proposed rule that will help WIC moms and kids increase their fruit and vegetable consumption and urge USDA to issue the final rule as soon as possible.

Sincerely,



Lee Frankel

President
Fresh Produce Association of the Americas



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I-181

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November 3, 2006

Ms. Patricia N. Daniels
Director
Supplemental Food Programs Division
Food and Nutrition Service
U.S. Department of Agriculture
3101 Park Center Drive, Room 528
Alexandria, Virginia 22301

Re: Docket ID Number 0584-AD77, WIC Food Packages Rule

Dear Ms. Daniels:

The National Potato Council (NPC) welcomes the opportunity to submit comments to the USDA/FNS regarding the proposed revisions in the WIC Food Packages. We are responding to your request for comments in the Federal Register (Vol. 71, No. 151), dated August 7, 2006 [Docket No. 0584-AD77].

The NPC is the only trade association representing commercial growers in 50 states. Our growers produce both seed potatoes and potatoes for consumption in a variety of forms. Annual production is estimated at 437,888,000 cwt. with a farm value of \$3.2 billion. Total value is substantially increased through processing. The potato crop clearly has a positive impact on the U.S. economy.

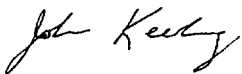
The NPC supports the proposal to include fruits and vegetables in the WIC Program as long as all fruits and vegetables are eligible commodities. The NPC incorporates, by reference, the comments filed by the United States Potato Board which does extensive nutritional research on potatoes and promotes their consumption. The Board's comments are based upon expertise in the nutritional value of potatoes. Potatoes contain many of the essential vitamins and nutrients that are recommended by the Department's food pyramid and by your Agency and by the Institute of Medicine's Report entitled "WIC Food Packages: Time for a Change" including potassium, fiber, vitamin C, and many B vitamins, including B6. In addition, the Food and Drug Administration's nutritional guidelines recognize these nutrient values for potatoes.

There is not an adequate factual basis utilizing available nutritional data, the needs of low income consumers and the issue of program cost, to exclude white potatoes from the WIC

Program. The Agency states that "The proposed improvements to the WIC food packages can be made without increasing the projected costs." The Agency also focuses on the needs of low income populations. Yet the proposal excludes white potatoes which are one of the lowest priced high nutrient vegetables. The Agency states that the proposal "...would provide more participant choice and a wider variety of foods than the current food packages. The increased variety and choice will provide State agencies increased flexibility in prescribing culturally appropriate food packages." Yet the proposal excludes the most widely consumed vegetable, white potatoes, which are used in diverse cultures in a variety of food preparations. Potatoes are available to consumers throughout the year, are easily stored, and can be prepared and served multiple ways along with various other commodities. The Agency cites the wide availability of white potatoes as a reason for exclusion based upon consumption of "starchy vegetables." "Starch" is not a term that is an appropriate descriptive word and is vague for purposes of this proposal. In addition to "starch" being vague, the FDA has approved numerous health claims that can be made for potatoes. In an FDA published Consumer Magazine article, the FDA states: "Starch is back, along with fiber and all the other good-for-you nutrients in whole grains, legumes, and the once lowly potato. They are all good sources of today's nutritional darling complex carbohydrates." Finally, the Agency currently allows for the purchase of fruits and vegetables under the WIC program at farmers' markets. According to the Agency website: "In fiscal year 2005, 2.6 million WIC participants received farmers' market benefits. A variety of fresh, nutritious, unprepared, locally grown fruits, vegetables, and herbs may be purchased with FMNP coupons. Each State agency develops a list of fresh fruits, vegetables and herbs that can be purchased with FMNP coupons." As far as we know, white potatoes are not excluded from this program.

We therefore urge that white potatoes be included as eligible commodities in the final rule.

Sincerely,



John Keeling
Executive Vice President and CEO

email 11-03-06 from Tom Hutcheson [THutcheson@ota.com]



**Include Organic Products in WIC Benefits:
Comments of the Organic Trade Association on
Docket ID number 0584-AD77
November 6, 2006**

The Organic Trade Association (OTA) thanks USDA's Food and Nutrition Service (FNS) for the opportunity to comment.

OTA is a membership-based business association focusing on the organic business community in North America and representing over 1500 members. OTA's mission is to promote and protect the growth of organic trade to benefit the environment, farmers, the public and the economy.

OTA applauds the expansion of the WIC program as outlined in the Proposed Rule and encourages FNS to find a way to give WIC participants the ability to choose organic products, including organic milk as well as fresh fruits and vegetables. In this way, program benefit recipients could also choose to participate in the benefits of the organic production and handling system, in which products are produced without toxic, persistent pesticides; irradiation; and genetic engineering.

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October 30, 2006

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3101 Park Center Drive, Room 528
Alexandria, Virginia 22302

Docket ID 0584-AD77, WIC Food Packages Rule

Dear Ms. Daniels:

The AACC International's Task Force on Defining Whole Grains in Food is writing in response to and in support of the proposal of USDA/FNS Docket ID 0584-AD77, WIC Food Packages Rule to add Whole Grains to WIC Foods. AACC International (formerly the American Association of Cereal Chemists) is the premier worldwide organization for advancing grain science and technology by creating, interpreting, and disseminating cereal information and providing personal and professional development opportunities for its members. Worldwide membership in AACC Intl. includes over 3500 scientists representing industry, academia, and government.

The Task Force, chaired by Julie Miller Jones from the College of St. Catherine, is comprised of academics, industry, non-profit, and government participants trying to arrive at the best possible labeling, research and communication agendas on the whole grain issue. Furthermore, the work of the Task Force is strengthened by smaller expert task forces convened to deal with issues specific to processing of traditional whole grain foods: barley, bulgur, and liming corn (nixtamalization).

Our Task Force supports the USDA/FNS proposal to increase fruit and vegetable consumption and to provide whole grains through the WIC program. While we are pleased about both efforts, we at AACC International feel well positioned to comment on the portion of the proposal dealing with grains and grain-based foods. Many researchers including a number who are members of AACC Intl. have done key research identifying the benefits of whole grains, working to understand the mechanisms and promoting greater consumption of these products. We are excited about these many benefits and their potential to make an important contribution to the diet. We are pleased that USDA also finds the data compelling and deserving of consideration in dietary guidance and in important government feeding programs such as WIC.

We would like to take this opportunity to comment on various specific aspects of the proposal.

1. What foods should meet the requirements of the whole grain recommendations?

We would like a broader definition of qualifying foods than the one proposed in the WIC Food Package Rule. The WIC proposal defines whole grain foods as those qualifying for the whole grains health claim and containing at least 51% whole grain by total weight and 1.7g of dietary fiber per 30g serving. The AACC Intl. Task Force on Whole Grains feels that this may be too restrictive and may not help consumers and WIC clients reach the goal of increased whole grain consumption. We propose that the rule read "included foods must contain a minimum 8g of whole grain per labeled serving" for the following reasons.

A. We believe that 8g of whole grain per labeled serving constitutes a dietarily significant amount of whole grain and therefore the members of the Task Force suggest it as the minimum level. Further reasons for supporting this level include.

- USDA/FSIS has established an 8g minimum, and consistency between government agencies is important.

Recent British research supports the fact that consumers often get the bulk of their whole grains from partially-whole-grain foods and that the summative approach should not be discounted. There is a need for consumers who never choose whole grain products to move to whole grain products in a gradual way, not unlike the transition that has occurred from whole milk to skim milk. Transitional whole grain foods help consumers move towards accepting more whole grain products, a strategy suggested in the Dietary Guidelines Advisory Report. The same strategy is reflected in the WIC proposal.

B. There are two main reasons why we do not support restricting whole grain foods only to those that contain at least 51% whole grain by weight and that provide at least 1.7g of dietary fiber per each 30g.

- Basing the percent of whole grain on total weight penalizes higher moisture grain-based foods such as bread. Bread has 38% of its weight as water, leaving only 11% for yeast, salt or ingredients that might improve the acceptability of a whole-grain bread, such as vital wheat gluten, raisins or nuts etc.
- Using the 1.7 g/ serving fiber standard is problematic for grains that naturally have a fiber content substantially lower than wheat such as brown rice. Under the current regulations, 100% brown rice fails to meet the fiber level for the FDA Health Claim. This needs to be rectified in FDA regulations and should not be followed in USDA regulations. The chart below illustrates this problem.

Dietary Fiber in Various Grains

Amount	Brown Rice	Whole Grain Corn Meal	Whole Oats	Whole Grain Wheat	Hulless Barley
100g	1.8g	7.3g	10.3g	12.2g	17.3
55g	0.99g	3.65g	5.67g	6.71g	9.52
30g	0.54g	2.19g	3.09g	3.66g	5.19

Thus it would take only 9.8 grams of barley per serving to reach 1.7 grams of dietary fiber, but it would take 48.6 grams of brown rice.

In addition it is important to point out that fiber is just one of many components of a whole grain, and it is important to understand that the benefit of consuming whole grains goes beyond dietary fiber.

2. Which foods should be allowed?

The WIC proposal provides allowances for cereal (hot or cold) plus bread or bread alternatives. Bread alternatives cited in the proposal are brown rice, barley, bulgur and soft corn or wheat tortillas. Our Task Force agrees that more choices should be included, to appeal to all ethnic types and to address gluten intolerance. Therefore we suggest the following also be included as acceptable sources of whole grain:

- A. **Include whole grain pasta**, as pasta is widely enjoyed and whole grain pasta is increasingly available.

B Include whole forms of all grains, alone or in combination, which meet the minimum amounts.

Allowed grains would include all cereal grains, members of the *Poaceae* (or *Gramineous*) family as listed in the comments we filed to FDA earlier this year. To iterate, these include wheat and bulgur wheat, including spelt, emmer, faro, einkorn, kamut and durum, rice, barley; corn (including popcorn); rye; oats, millet; sorghum; teff, triticale, and wild rice. We also think that whole forms of pseudocereals which have similar uses and nutritional benefits as whole cereal grains also be allowed. These include buckwheat, amaranth, and quinoa. The inclusion of all these grains is important, as some cultures favor some of the lesser-known grains. For example, some from Asia use buckwheat (or soba) noodles, some from east Africa use teff to make traditional bread, and some Native Americans might choose wild rice.

C Include all soft (not fried) "whole grain" tortillas instead of just whole wheat and corn. We are concerned that WIC proposes allowing tortillas only if they are made with no added fats. While corn has sufficient inherent oil to meet this standard, wheat tortillas and multigrain tortillas need added fats to make a product that is edible. Fat is important both in processing (dough flow/mobility) and for storage stability (helps with rollability and minimizes cracking). We are not advocating the use of excess fats especially saturated and trans fats, but recognize the importance and need for some fats in these products. The net result will be a wider choice of tortillas for the WIC population and potentially more WIC clients choosing more whole grain products.

3. What amounts should be included in the WIC food packages? Are amounts specified available in supermarkets?

Amounts specified should be logical and should be consistent with size units normally sold in supermarkets.

- A. We concur with the recommendation of 36 oz. of cereal for both women and children. This amount supports the Dietary Guidelines, and can be easily achieved given the wide variety of net weights in cereals eligible for the WIC program.
- B. We do, however, advocate that the WIC proposal allow the same amounts of bread for women as for children, rather than offer less bread to adults, as proposed. Bread was virtually the only food to be listed at a lower amount for women than for children – although women need more servings of everything, especially when they are pregnant or nursing. We further recommend that this amount be two loaves, not to exceed 24 oz. each. Almost all bread is now sold in 24-oz packages, so specifying this food in 16-oz units will not create a viable option.

In closing, we once again applaud USDA / FNS for recognizing the importance of increasing whole grain consumption for better health and making these changes in the WIC proposal. These changes will help Americans meet the recommendations of the 2005 Dietary Guidelines and Healthy People 2010 'to make half your grains whole.' For the WIC population especially, the inclusion of whole grains along with increased emphasis on fruits and vegetables and reduction in fat can be important measures for improving public health. We support your efforts. In closing, we urge you to implement recommendations that enable more people to include healthy whole grains in the diet with the result that more people eat and enjoy more whole grains.

Best Regards,



Rob Hamer, Ph.D.
President, AACC International

email 11-04-06 from Randy Duckworth [randy@usdrybeans.com]
October 31, 2006

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Patricia N. Daniels
Director, Supplemental Food Programs Division
USDA Food and Nutrition Service
3101 Park Center Drive, Room 528
Alexandria, VA 22302

RE: Docket ID Number 0584-AD77, WIC Food Packages Rule

Dear Ms. Daniels:

The U.S. Dry Bean Council strongly supports the rule changes proposed for WIC Food Packages by Food and Nutrition Service (FNS) as published in the Federal Register on August 7, 2006. The proposed amendments change the types and availabilities of numerous foods in the WIC Food Packages including packaged dry beans and canned beans. The U.S. Dry Bean Council commends FNS for developing these proposed changes because they more accurately reflect USDA's dietary recommendations, especially as relates to daily consumption of beans.

According to FNS' own estimates bean utilization in the program is expected to increase by approximately 2.5 times if canned beans are allowed in the program (Table 16; 71 Fed. Reg. 44851). Additionally, FNS' analysis of the proposed rule changes recognizes that there is a modest increase in program costs associated with the addition of canned beans as an option. However, the analysis also recognizes (and we agree wholeheartedly) that the modest increase is more than compensated for by the benefits that enhanced bean consumption will provide to WIC participants through increasing daily dietary nutrition and in convenience of meal preparation.

The first obvious benefit of allowing canned beans in the food packages is that it will encourage greater consumption, which is consistent with the most recent U.S. Dietary Guidelines. Second, increased consumption of beans by postpartum women will help to better meet their special dietary needs by providing several priority nutrients, including but not limited to: protein, iron, folate, Vitamin E, and fiber. Third, recent research demonstrates that regular consumption of beans (at USDA's recommended levels) may reduce the risk of common chronic diseases such as heart disease, diabetes and certain cancers - as well help fight obesity (www.beansforhealth.org).

In closing, by adding variety and convenience, the canned bean option will undoubtedly increase the appeal of beans in WIC. It will also help support WIC participants that are looking for more and varied healthy food choices. And lastly, these changes supplement the diets of breastfeeding and postpartum women with several of the priority nutrients identified by the IOM. The long-term benefits of providing participants with the option of canned beans, thereby increasing bean consumption, will greatly aid WIC in improving the life-long health of its participants.

Thank you for your consideration of these comments. We look forward to helping spread the word about the new rule changes after implementation.

Sincerely,



UNITED FISHERMEN OF ALASKA

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I-185

November 3, 2006

Patricia N. Daniels, Director
Supplemental Food Programs Division
Food and Nutrition Service
United States Department of Agriculture
3101 Park Center Drive, Room 528
Alexandria, Virginia 22302

Re: Docket ID Number 0584-AD77, Women, Infants and Children Food Package Rule

Dear Ms. Daniels,

United Fishermen of Alaska (UFA) represents 33 Alaska commercial fishing organizations participating in a wide range of fisheries throughout Alaska's coastal and offshore waters.

UFA supports the inclusion of canned salmon in the proposed Women, Infants and Children food package III and VII for breastfeeding women. In addition, we support the inclusion of canned salmon for all target groups under WIC Food Packages III and IV, V, and VI. We feel that all WIC program participants will benefit from increased consumption of canned salmon. Recent scientific studies are confirming what Alaska families know - that salmon is among the healthiest of protein sources available.

We refer you to the October 2006 report "Seafood Choices: Balancing Benefits and Risks" published by the Institute of Medicine of the National Academies, available online at: <http://www.iom.edu/CMS/3788/23788/37679.aspx>. This report highlights the health benefits of seafoods that are high in Omega 3 oils (EPA and DHA) during pregnancy, and in cognitive and neurological development for infants and children of 4-5, and the high level of these nutrients in canned salmon. In addition, canned salmon is a concentrated source of protein, calcium, selenium, niacin, and vitamins B-6, B-12, and D, and is also beneficial for its low levels of saturated fat. Canned salmon is very low in mercury compared to canned tuna.

Canned salmon is well known as a "superfood" and has been noted in numerous articles in the past few years in consumer and scientific publications. The USDA WIC program will greatly benefit the health and development of our women, infants, and children by including canned salmon for all target groups, to encourage increased consumption.

Sincerely,

Mark Vinsel
Executive Director

MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Druggers Association • Alaska Independent Tendermen's Association • Alaska Longline Fishermen's Association
Armstrong Keta • At-sea Processors Association • Bristol Bay Reserve • Concerned Area "M" Fishermen • Cook Inlet Aquaculture Association
Cordova District Fishermen United • Crab Group of Independent Harvesters • Douglas Island Pink and Chum • Fishing Vessel Owners Association
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Southern Southeast Regional Aquaculture Association • United Catcher Boats • United Salmon Association • United Southeast Alaska Gillnetters
Valdez Fisheries Development Association • Western Gulf of Alaska Fishermen



November 3, 2006

I-186

Patricia N. Daniels, Director
Supplemental Food Programs Division
Food and Nutrition Service
United States Department of Agriculture
3101 Park Center Drive, Room 528
Alexandria, Virginia 22302

**Re: Comments on WIC Food Packages Proposed Rule,
Docket ID Number 0584-AD77**

Dear Ms. Daniels:

Thank you for the opportunity to submit comments to the United States Department of Agriculture (Department) regarding the agency's proposed rule for "Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Revisions in the WIC Food Packages."

Western Growers is an agricultural trade association whose 3,000 members grow, pack and ship 90 percent of the fresh vegetables and nearly 70 percent of the fresh fruit and nuts grown in Arizona and California, about one-half of the nation's fresh produce.

As an organization that represents growers, packers and shippers that supply the best preventative medicine in the world, Western Growers recognizes the critical role nutrition plays in helping to maintain a healthy American populace.

We commend the Department for proposing long awaited important changes to WIC that are consistent with the *2005 Dietary Guidelines for Americans* and would like to take this opportunity to make two recommendations to the already strong proposal.

First, the proposed rule places some restrictions on participants and does not allow WIC recipients to use the cash-value voucher to purchase all fresh fruits and vegetables, particularly white potatoes. Western Growers recommends that all fresh fruits and vegetables should be eligible for the voucher and that WIC recipients should be provided with the maximum choice possible.

Second, Western Growers is concerned with the reduction of the cash-value voucher for moms and children in the proposed rule. While we understand that this reduction may have been included for cost containment purposes, the Institute of Medicine of National



Academies (IOM) Report *WIC Food Packages: Time for a Change* includes a recommendation of \$10/month for mothers and \$8/month for children. Currently, WIC recipients and many Americans, eat less than one-half of their recommended servings of fruits and vegetables in the *2005 Dietary Guidelines for Americans*. Western Growers recommends maintaining the cash-value voucher at the level recommended by IOM as this component has the potential to provide an additional serving of fruits and vegetables each day to WIC recipients.

Again, Western Growers commends the Department for this proposal and looks forward to working with USDA and the WIC program to implement the food package improvements. The proposed changes will be a major policy lever to address the obesity epidemic and help low-income families make healthier food choices.

Sincerely,

Erin Field
CA Government Affairs Manager

I-187

Southeast Alaska Fishermen's Alliance

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November 3, 2006

Patricia N Daniels, Director
Supplemental Food Programs Division
Food and Nutrition Service
United States Department of Agriculture
3101 Park Center Drive, Room 528
Alexandria, Virginia 22302

RE: Docket ID Number 0584-AD77, Women, Infants and Children Food Package Rule

Dear Ms Daniels,

The Southeast Alaska Fishermen's Alliance (SEAFA) would like to support the inclusion of canned salmon in the proposed Women, Infants and Children food package III and VII for breastfeeding women and WIC food packages III, IV, V and VI for all target groups.

Numerous studies have proven the health benefits of seafood. In particular canned salmon has been proven to have high levels of the Omega 3 oils (EPA and DHA) as well as being a high source of protein, calcium, selenium, niacin, and vitamins B-6, B-12 and D along with low levels of saturated fat and is very low in mercury compared to canned tuna.

Canned salmon should be included in all the categories for the WIC food packages program and would benefit the health and development of our women, infants and children.

SEAFA is a multi-gear organization representing our members involved in the salmon, crab, shrimp and longline fisheries of Southeast Alaska.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Hansen", followed by a horizontal line.

Kathy Hansen
Executive Director

1-189

email 11-04-06 from Randy Duckworth [randy@usdrybeans.com]
October 31, 2006

Patricia N. Daniels
Director, Supplemental Food Programs Division
USDA Food and Nutrition Service
3101 Park Center Drive, Room 528
Alexandria, VA 22302

RE: Docket ID Number 0584-AD77, WIC Food Packages Rule

Dear Ms. Daniels:

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According to FNS' own estimates bean utilization in the program is expected to increase by approximately 2.5 times if canned beans are allowed in the program (Table 16; 71 Fed. Reg.44851). Additionally, FNS' analysis of the proposed rule changes recognizes that there is a modest increase in program costs associated with the addition of canned beans as an option. However, the analysis also recognizes (and we agree wholeheartedly) that the modest increase is more than compensated for by the benefits that enhanced bean consumption will provide to WIC participants through increasing daily dietary nutrition and in convenience of meal preparation.

The first obvious benefit of allowing canned beans in the food packages is that it will encourage greater consumption, which is consistent with the most recent U.S. Dietary Guidelines. Second, increased consumption of beans by postpartum women will help to better meet their special dietary needs by providing several priority nutrients, including but not limited to: protein, iron, folate, Vitamin E, and fiber. Third, recent research demonstrates that regular consumption of beans (at USDA's recommended levels) may reduce the risk of common chronic diseases such as heart disease, diabetes and certain cancers - as well help fight obesity (www.beansforhealth.org).

In closing, by adding variety and convenience, the canned bean option will undoubtedly increase the appeal of beans in WIC. It will also help support WIC participants that are looking for more and varied healthy food choices. And lastly, these changes supplement the diets of breastfeeding and postpartum women with several of the priority nutrients identified by the IOM. The long-term benefits of providing participants with the option of canned beans, thereby increasing bean consumption, will greatly aid WIC in improving the life-long health of its participants.

Thank you for your consideration of these comments. We look forward to helping spread the word about the new rule changes after implementation.

Sincerely,



Cindy Brown
President

USDA WIC Food Packages
RIN 0584-AD77
November 6, 2006
Page 1

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U.S. Department of Agriculture
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RE: RIN 0584-AD77; Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Revisions in the WIC Food Packages; Proposed Rule (71 FR 44783)

The Grocery Manufacturers Association and Food Products Association (GMA/FPA) submit comments on the docket referenced above.

The Grocery Manufacturers Association represents the world's leading branded food, beverage and consumer products companies. Since 1908, GMA has been an advocate for its members on public policy issues and has championed initiatives to increase industry wide productivity and growth. GMA member companies employ

more than 2.5 million workers in all 50 states and account for more than \$680 billion in global annual sales.

The Food Products Association is the largest trade association serving the food and beverage industry in the United States and worldwide. FPA's laboratory centers, scientists and professional staff provide technical and regulatory assistance to member companies and represent the food industry on scientific and public policy issues involving food safety, food security, nutrition, consumer affairs and international trade.

Overview

GMA, FPA, and the food and beverage industries have been consistent supporters of the U.S. Department of Agriculture's (USDA) Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). The Associations commend USDA for the important contributions its proposal would make in strengthening the WIC program. At the same time, GMA/FPA believes that the WIC program could make substantially greater contributions to the dietary quality and long-term health prospects for WIC participants through modest increases in program funding which would account for the longer term cost savings that are available to the national budget by taking a longer term perspective concerning the value of healthy diets in promoting health and preventing disease.

I. Foods and Beverages are Integral to WIC's Successful Outcomes and Should Be Maximized

GMA/FPA and their members have substantial experience concerning the formulation and marketing of food products that are made available to participants as part of the WIC program, and appreciate this opportunity to comment on the USDA proposal to revise the standards defining the nature and amount of food and beverage products that are made available to participants through the WIC program. As a general matter, we are supportive of modifications to the WIC program standards that will maximize the opportunity for WIC program participants to consume diets that align with the recommendations of the 2005 Dietary Guidelines for Americans and the IOM report.^{1,2}

In view of the unacceptable increase in the prevalence of overweight and obesity among Americans, including WIC participants, and the potential health promotion and disease prevention benefits that are associated with achieving and maintaining healthy body weight, the Dietary Guidelines include a number of recommendations

¹ US Department of Health and Human Services and US Department of Agriculture. 2005. Dietary Guidelines for Americans 2005. <http://www.healthierus.gov/dietaryguidelines>

² Institute of Medicine. 2006. WIC Food Packages: Time for a Change. Report of the Committee to Review the WIC Food Packages, Food and Nutrition Board. Washington, DC: National Academies Press.

emphasizing the need for people to consume diets that meet nutritional needs without exceeding the limits of appropriate caloric intake. For example, key recommendations emphasize the need to consume a variety of "nutrient-dense" foods and to meet recommended intakes "within energy needs by adopting a balanced eating pattern."³ While the WIC program is designed to be a supplemental food program, the program priorities are aimed at targeting nutritional needs of public health significance, and making available nutritionally-dense foods that are directly responsive to priority nutrient needs. This positions the WIC program to make substantial contributions to the quality of the diets consumed by WIC participants with long-term benefits for health promotion and disease prevention.

The importance of the Dietary Guidelines' priorities for promoting health and wellness and preventing obesity among American children and youth has been underscored in recent reports issued by the Institute of Medicine.⁴ In this regard, the WIC program offers a particularly important opportunity for nutritional intervention with vulnerable populations, making nutrient-dense foods readily available for consumption and supporting the overall quality of diets consumed by the young children served by the program, promoting healthy eating habits and lifelong health. Notably, Congress established the Special Supplemental Nutrition Program for Women, Infants and Children "to provide . . . supplemental foods and nutrition education... and serve as an adjunct to good health care, during critical times of growth and development, to prevent the occurrence of health problems, including drug abuse, and improve the health status of these persons."⁵

USDA's review of the WIC food packages presents an excellent opportunity to have a substantial positive outcome on the health of WIC participants, and meet head-on Congress' goal of preventing the occurrence of health problems and improving the health status of WIC participants during these critical times. Indeed, through the program, participants, particularly children, can adopt and enjoy healthy food habits and learn important health values, such as portion control, that could follow them throughout their lives.

³ Dietary Guidelines for Americans 2005. Key Recommendations.

<http://www.health.gov/dietaryguidelines/dga2005/document/html/executivesummary.htm>

⁴ See, e.g., Institute of Medicine, Preventing Childhood Obesity: Health in the Balance (2005); Institute of Medicine, Overview of the IOM's Childhood Obesity Study (2004 Fact Sheet)(stating, "[c]hildhood obesity is a serious nationwide health problem requiring urgent attention and a population-based prevention approach so that all children may grow up physically and emotionally healthy. Preventing obesity involves promoting healthful eating behaviors and regular physical activity—with the goal of achieving and maintaining energy balance at a healthy weight." Reporting that, since the 1970s, the rate of obesity has "more than doubled for preschool children aged 2-5 years." <http://www.iom.edu>.

⁵ 42 U.S.C. § 1786(a).

GMA/FPA observe, for example, that shorter term department budgetary constraints appear to have contributed to USDA's request that IOM confine its WIC package recommendations to improvements that could be achieved within an exclusively USDA "cost neutral" budgetary framework. Had USDA been able to invite IOM to recommend WIC package recommendations that were "cost neutral" in the broader sense, accounting for longer term cost savings available to the nation's budget resulting from the reduced diet-related disease burden among WIC participants, we anticipate that increased WIC program funding would have been readily justified by the IOM findings and recommendations.⁶

Notably, the current USDA proposal does not fully implement the IOM recommendations for strengthening the range of food choices even under the cost neutral framework. The USDA proposed rule would reduce the cash-value fruit and vegetable voucher by \$2 per month beyond the limited value of \$10 per month for women and \$8 per month for children recommended by the IOM. In addition, the USDA proposal does not make room for yogurt, a recognized dairy product that has a long and well-established history of use in the traditional diets of many population groups (based on preference and culture) in the United States that are served by the WIC program. Inclusion of yogurt in WIC food packages would provide an important alternative for lactose intolerant women and children, and the variety of attractive and flavorful products that are available nationally would help achieve calcium intake recommendations and support the nutritional objectives of the program among important segments of the WIC population.

In addition to food choice limitations, historically the WIC program has utilized the most economical packaging but inadvertently missed the opportunity to educate parents on the appropriate portion size for toddlers and young children. Many food and nutrition professionals effectively educate clients about portion control through the use single-serving or portable container sizes, something that may not have been considered before or covered in WIC nutrition counseling.

The significant demographic shifts that have increased diversity in the nation's WIC population justify a varied and flexible set of food choices in WIC food packages. Such increased flexibility is needed to achieve the nutrition and health objectives that have long justified the continued authorization of the WIC program, and would justify further modest increases in funding. GMA/FPA urges USDA to maximize the inclusion of the new and healthy food choices recommended by the Dietary Guidelines and the IOM by building upon healthy food choices that have contributed to the historical acceptance and effectiveness of the WIC program.

Expanding the range and flexibility of food choices can only strengthen opportunities for the WIC program not merely to set healthy goals for overall

⁶ U.S. Department of Health and Human Services. 2003. "Prevention Makes Common 'Cents,'".

nutrient intake. It will maximize the opportunity to achieve dietary goals through the nutritionally dense foods that are selected and consumed on a daily basis by participants in the increasingly diverse WIC population. Promotion of healthy food preferences and adoption of lifelong dietary habits will have health promotion value throughout life. Thus, GMA/FPA urges USDA to reconsider the cost-neutral framework that has been developed in support of its current proposal, and seek increased WIC program funding to the fullest extent possible to support greater flexibility in the food choices available to WIC participants.

II. Importance of Nutrition Education to the WIC Program and Implementation of Revised WIC Food Packages

The WIC program provides participants with access to prenatal, perinatal, and pediatric health care services; nutrition education; and prescribed supplemental food packages. GMA/FPA underscores the critical contribution of nutrition education and counseling in the WIC program. Nutrition education and supplemental foods through WIC food packages are important contributors to either the modification of dietary patterns among pregnant, lactating, and postpartum women, or development of eating habits and patterns among infants and children. It is imperative that nutrition education and counseling be targeted individually and includes appropriate food and portion education for development of healthy life-long eating habits.

Given the emphasis in the 2005 Dietary Guidelines to both nutrition and physical activity, and the importance of energy balance or deficit for weight management, GMA/FPA strongly encourages USDA to require more individualized and targeted WIC participant counseling to focus on both nutrition/foods and physical activity education. In a time when overweight among children, and overweight and obesity among women, is significant among WIC participants, attention is needed to both sides of the energy balance equation for health, growth, and development.⁷

III. USDA Should Establish a Pilot Program or Fund Uniform Means To Collect Data Regarding Food Package Changes

⁷ Data for 2003-2004 from the National Health and Nutrition Examination Survey (NHANES) illustrate the prevalence of overweight (Body Mass Index [BMI] ≥ 25 to < 30) at 23, 34, and 22 percent for African-American, Hispanic, and white women; and obesity (BMI ≥ 30) at 50, 36, and 24 percent, respectively. For children 2 to 5 years of age, 2003-2004 NHANES illustrates the prevalence of overweight (BMI 85th to 95 percentile) at 10, 23 and 13 percent for African-American, Hispanic, and white males; and 16, 15, and 10 percent for females, respectively. For children 2 to 5 years of age, 2003-2004 NHANES illustrates the prevalence of obesity (BMI $> 95^{\text{th}}$ percentile) at 11, 15, and 14 percent for males; and 11, 12, and 13.5 percent for females, respectively.

A. Authority to Fund and Establish Programs

The implementing statute gives the Secretary broad authority to develop regulations outlining the parameters of the food packages. Importantly, the Secretary must, as frequently as necessary, conduct a scientific review of the supplemental foods available through the program and amend the food packages "to reflect nutrition science, public health concerns, and cultural eating patterns."⁸ Congress envisioned that the Secretary would use a portion of the annual appropriation to fund these types of activities. The statute authorizes the Secretary to use one half of one percent of the annual program funding (not to exceed \$5,000,000) for "evaluating program performance, evaluating health benefits, preparing reports on program participant characteristics, providing technical assistance to improve State agency administrative systems, administration of pilot projects, including projects designed to meet the special needs of migrants, Indians, and rural populations, and carrying out technical assistance and research evaluation projects of the programs under this section."⁹

Establishing a pilot program or funding a uniform means to collect data nationally from state, territorial, and tribal WIC agencies on voucher redemption, and utilization and consumption of foods and beverages in revised food packages would clearly be within the statutory authority granted the Secretary. These data would provide information about WIC food packages on an ongoing basis that would allow the Department to consider future changes to WIC food packages.

USDA should use its authority to implement a pilot program to study some of the more dramatic changes to the food packages, or, at the very least, fund a uniform means to collect data regarding the food packages after implementation. With this information, USDA and other interested parties can assess the overall impact and effectiveness of the changes to the food packages as well as obtain a better sense of the preferences of WIC participants. This will allow USDA to make minor adjustments to the food packages after implementation to ensure that the program is as effective as possible to help WIC participants establish healthy eating habits and reduce the risk of health problems.

B. Ensure Effectiveness of Food Packages

Congress established the Special Supplemental Nutrition Program for Women, Infants and Children after finding "that substantial numbers of pregnant, postpartum, and breastfeeding women, infants, and young children from families with inadequate income are at special risk with respect to their physical and mental health by reason of inadequate nutrition or health care, or both."¹⁰ The worst possible outcome after implementing the proposed changes would be to undercut Congress' overall goal for the program: "to provide . . . supplemental foods and

⁸ 42 U.S.C. § 1786(f)(11)(D).

⁹ 42 U.S.C. § 1786(g)(5).

¹⁰ 42 U.S.C. § 1786(a).

nutrition education ... and serve as an adjunct to good health care, during critical times of growth and development, to prevent the occurrence of health problems, including drug abuse, and improve the health status of these persons."¹¹ The Secretary is charged with ensuring the effectiveness of the program through establishing appropriate food packages.

The WIC program provides nutritional assistance to children at a formative time in their lives and is uniquely situated to make important progress on child nutrition goals. The Institute of Medicine (IOM) notes, "In order to develop eating habits that will have health-promoting benefits that carry them into adulthood, children and adolescents need to consume more fruits, vegetables, whole grains, and dairy products, and moderate their intakes of high-calorie and low-nutrient foods and beverages."¹² Indeed, through the WIC program, USDA could help participant families create the type of "healthy home environment" for children that "encourages healthful eating habits" necessary to combat obesity.¹³

USDA's proposed changes to the WIC food packages, the first such changes in many years, reflect diligent analyses concerning the nutritional needs of participants. The evaluation of WIC participant acceptance of the actual food products made available to participants in the revised WIC food packages would demonstrate that the regulatory reforms will support the intended nutritional objectives and represent the most effective stewardship of the program funding available. The practical effect of these changes remains unclear as neither USDA nor the IOM conducted pilot testing or evaluation regarding the suitability of the proposed new food packages. In order to provide the greatest nutritional benefit, data regarding the acceptability of foods in WIC food packages can be used to maximize the utilization of WIC program resources on foods that are suitable and consumed by WIC participants.

C. Ensure Cultural Preferences and Needs Are Met

The proposed rule also seeks to prohibit states from petitioning USDA for new food package substitutions based on cultural norms and preferences of a state's diverse population. The rationale for this proposed change is that the "IOM was charged with considering the cultural needs of WIC participants and its recommendations for revisions to the WIC food packages reflect those

¹¹ Id.

¹² IOM. 2006. Board on Children, Youth and Families, Food and Nutrition Board, Institute of Medicine ("IOM"), *Food Marketing to Children and Youth: Threat or Opportunity?* Washington, DC: National Academies Press; P. 374.

¹³ IOM. 2005. Board on Health Promotion and Disease Prevention, Food and Nutrition Board, Institute of Medicine, *Preventing Childhood Obesity: Health in the Balance*. Washington, DC: National Academies Press; P. 14.

considerations."¹⁴ However, without a mechanism to assess the impact of the IOM's proposed food packages, USDA has no way of knowing if the program accommodates preferences to meet cultural needs of WIC participants through proposed revised food packages. A program that would support collecting information in a uniform manner about usage of foods in revised WIC food packages would provide USDA the type of data necessary to ensure that USDA achieves its statutory mandate that the program meet the cultural preferences and needs of WIC participants. USDA's proposal to bar states from seeking food package modifications or substitutions for their diverse populations is yet another reason for USDA to invest in an assessment tool to review the effectiveness of the new food packages.

IV. Comments on USDA Proposed Food Packages

GMA/FPA generally supports the addition of new foods within revised WIC food packages to address a wider variety of foods that focus on food groups and nutrient contributions that meet the Dietary Guidelines and implement the IOM recommendations. These choices provide options to meet the diverse needs of the WIC population, and ensure flexibility to address cultural food preferences. However, USDA's proposal may foster unintended consequences for food consumption by participants, or altered nutrient delivery through proposed volume reductions in certain food categories, minimum requirements and specifications for supplemental foods, or rejection of IOM recommendations.

Infant Formula

GMA/FPA supports the breastfeeding promotion goal of the WIC program and the recommended changes related to exclusive breastfeeding during the first month post-partum, and infant formula amounts in WIC food packages.

Infant Cereal and Baby Food Fruit, Vegetables, and Meat

GMA/FPA supports maintaining infant cereal requirements and applauds the expansion of options for baby food fruit, vegetables, and meat in the infant WIC food package. Introduction of baby food fruit, vegetables, and meat in the infant WIC food package will provide a variety of foods that will help foster development of life-long food habits as children grow.

We agree that it is important that juice not displace other nutritious foods in infant diets; however, we believe that there can be a role for 100% fruit or vegetable juice between 6 and 11 months of age (not before 6 months). Since the WIC population is vulnerable to insufficient fruit and vegetable intake, 100% juice can provide an occasional serving to achieve dietary goals. Additionally, removal of

¹⁴ Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Revisions in the WIC Food Packages, 71 Fed. Reg. 44784, 44806 (proposed Aug. 7, 2006) (to be codified at 7 C.F.R. pt. 246).

juice may lead to parents and caregivers feeding less nutritious beverages if 100% juice is not available. GMA/FPA recommends allowance for 96 oz juice for ages 6 to 11 months.

Fruits and Vegetables

GMA/FPA supports the addition of fruits and vegetables in WIC food packages and the equal consideration for choice among fresh, canned, and frozen (and dried, when applicable) options. Fruits and vegetable choices are important options for WIC participants. Because of preferences, cultural norms, time of year, distance to redeem WIC vouchers, and storage facilities, canned and frozen options may more consistently deliver desired nutrients and dietary fiber to WIC participants and result in less waste. However, because of program needs for optimal nutrition, we oppose the reduction in value from \$10 to \$8 for women and \$8 to \$6 for children, from the IOM recommendation. Further, we believe that the reduction could lead to reduced intake of priority nutrients.

In its economic analysis and consideration of alternatives to proposed WIC food package revisions, USDA presents the economic savings of targeting nutrient delivery from dark green and orange vegetables. As noted in the proposed rule, "consumption of vegetables from the dark green, orange, and legume groups fall furthest from recommended levels," and "recogniz[es] potassium, folate, and vitamins A and C as priority nutrients lacking in the diets of some WIC subpopulations."

Many dark green and orange vegetables provide a cost-effective way to deliver priority nutrients per serving, as the proposal notes that broccoli, carrots, collard greens, mustard greens, kale, sweet potatoes, spinach, and turnip greens are among the least expensive vegetables on a per serving basis, and are prime candidates for inclusion in any list of nutrient-dense, dark green and orange vegetables.¹⁵

As the WIC program focuses on targeted nutrient delivery to meet participant needs, and the USDA proposal strives to target and achieve supplemental intake through revised WIC food packages, GMA/FPA urges USDA to consider a variation of USDA's cost-saving approach as described in the proposal that supports consumption of both fruits and vegetables. A specified allotment and criteria for fruits and vegetables will effectively deliver priority nutrients in contrast to the proposed unrestricted voucher. We recommend application of a criteria for fruits and vegetables in WIC food packages such as provision of a "good source" ($\geq 10\%$ Daily Value) of one priority nutrient or a meaningful amount ($> 5\%$ Daily Value or other amount) of 2 priority nutrients.¹⁶ Moving from a dollar amount voucher to

¹⁵ 71 FR 44848.

¹⁶ Per FDA criteria under 21 CFR 101.54(c)(1), 21 CFR 101.9(c)(8)(iv) and 21 CFR 101.9(c)(9).

specified amounts of fruits and vegetables would better equate nutrient delivery as for other foods and beverages in WIC food package criteria (1 lb fresh = 16 oz can = 1 lb frozen). Further, we concur with USDA's assessment of potential reduction of "inefficiency costs" in program administration with food retailers, and would not compromise consumer choice among fresh, canned, or frozen options.¹⁷ This approach would assist in allowing implementation of other recommendations contained in these comments and eliminates the inconsistency between unrestricted vouchers and specified nutrient criteria and amounts for other foods and beverages in WIC food packages.

In association with USDA's proposed fruit and vegetable requirements, GMA/FPA disagrees with restrictions on any added fat or sugar, with our belief that, as per the 2005 Dietary Guidelines, small amounts of added fat or sugar as sauces (particularly for vegetables) will increase palatability among participants, not increase cost, and will foster increased life-long fruit and vegetable consumption. Furthermore, GMA/FPA believes and urges USDA to consider the vegetable contribution from canned vegetable soup. These economical products deliver substantial amounts of vegetables (1/2 cup per serving; non-cream based) to the diets of WIC participants, particularly for those participants with low intakes of vegetables. Research has shown that consumption of soup is associated with lower calorie intake and increased intakes of WIC priority nutrients such as vitamins A, C, and folate. Additionally, soup has been shown in several studies to be a useful tool in weight management, an important aspect for many WIC participants.

100% Juice

USDA proposes to decrease the volume of juice for both women and children in the WIC program, and to eliminate juice for infants 6-11 months of age (also see baby food comments). We understand that changes to the WIC Food Packages are necessary to align the food packages with the revised 2005 Dietary Guidelines, MyPyramid, and current infant feeding practice guidelines of the American Academy of Pediatrics (AAP).

The majority of Americans do not consume the MyPyramid recommendations of fruits and vegetables. While fruit and vegetable vouchers will assist in increasing availability of fruit and vegetables for WIC participants, 100% juices will continue to play a vital role in WIC participants' diets. Fruit and vegetable juices that provide 100% juice are a readily available option for participants who may have limited transportation, storage, and cooking facilities. They also serve to reduce the potential for introduction and consumption of less nutritious beverages.

As stated by the 2005 Dietary Guidelines Advisory Committee, "The fruit juices most commonly consumed by older children and adults provide more vitamin C,

¹⁷ 71 FR 44848.

folate, and potassium in portions usually consumed than do the commonly eaten fruits. The recommended intake of fruits and juices achieve an optimal balance."¹⁸

For children 1 to 5 years of age, USDA has selected the lower end of AAP fruit juice guidelines to calculate the amount of juice per month. The IOM report recommended the inclusion of 4 ounces of 100% juice in order to fill the nutrient gap not provided by whole fruit and vegetable consumption. However, at the proposed 128 ounces, the majority of participants would not receive this amount due to the need for package size flexibility. The vast majority of state, territory and tribal WIC agencies authorize 46 and 48 oz-size containers of juice – most appropriate to encourage juice as a component of whole fruit and vegetable consumption. GMA/FPA believes that juice in child food packages is appropriate at 180 ounces to provide all children with the opportunity to receive about 6 ounces per day, within AAP guidelines. Because of packaging issues, 144 ounces could be an acceptable alternative.

For women, GMA/FPA believes that the USDA proposal is not in agreement with the 2005 Dietary Guidelines that allows up to half of fruit from juice (about 1 c on a 2,000 kcal diet). For women, GMA/FPA supports allowance of 192 oz for Food Packages V and VII and 144 oz for Food Package VI, which would provide 100% daily vitamin C—a nutrient of concern for women), or to substitute a portion of fruit and vegetable voucher (or specified amounts as described elsewhere in these comments) as juice. This is especially important among women that consume small quantities of fruit, or few or no fruits, to maximize fruit intake while providing counseling to increase consumption of fresh, canned, or frozen fruits. Many fruit juices provide more vitamin C, folate, potassium, and phytonutrients than fresh fruit; and vegetable juices may provide more vitamin A, vitamin C, folate, potassium, dietary fiber, and phytonutrients than fresh vegetables; all key nutrients of concern to the WIC population and to optimal nutrition and diet. Additionally, vegetable juice has half of the calories of fruit juice, a consideration for weight management education as part of WIC counseling.

Because of the need to educate WIC participants about portion control related to energy balance, weight management, and obesity prevention in women and young children. WIC food packages should be allowed to include both large containers and single-serving containers.

GMA/FPA proposes USDA consider an additional issue related to juice in WIC food packages in preparing the final rule. For juice, in addition to their contribution of vitamins, minerals, and phytonutrients, fortified juice can provide important additional sources of nutrients of concern for the WIC population; for example, calcium is a priority nutrient for women. Calcium-fortified juices can provide an

¹⁸ Report of the Dietary Guidelines Advisory Committee. 2004.
<http://www.health.gov/dietaryguidelines/dga2005/report/>

additional excellent source of calcium in the diet and an additional choice for those with milk allergy or lactose intolerance. These fortified juices should be required to be allowed as a part of WIC food packages. USDA's proposed rule "would clarify that juices that are fortified with other nutrients may be allowed at the State agency's option." GMA/FPA urges USDA to require states to allow calcium-fortified juices as a juice option in the WIC food packages.

Milk, Cheese, and Yogurt

Dairy products have been an extremely important component of WIC food packages. Fluid milk, cheese, and yogurt provide a number of priority nutrients for WIC participants (calcium, vitamins A & D, potassium, magnesium).

Lactose intolerance is a problem for substantial segments of the WIC population, with lactase deficiency among 50 to 80% of Hispanics and 60 to 80% of African-Americans.^{19,20} However, cheese and yogurt provide useful alternatives to fluid milk, while delivering the priority nutrients from fluid milk.²¹ USDA proposes a reduction in cheese substitution to one pound per month in several food packages, and exclusion of yogurt even though it was included by the IOM.

GMA/FPA disagrees with this reduction substitution of cheese for fluid milk and urges USDA to allow substitution of cheese above one pound per month for Food Packages IV, V, VI, and VII. Given that cheese is an important source of dietary calcium (a high priority nutrient for pregnant, lactating and non-breastfeeding post-partum women), expanded allowance for cheese substitution will permit greater food choice flexibility and provide a virtually lactose-free source of calcium and other priority nutrients. USDA could consider that a portion of cheese substituted for fluid milk (i.e., 1 lb of 2 lb per month) could be required to be nutritionally improved (reduced fat, saturated fat) while supporting delivery of priority nutrients to WIC program participants.

GMA/FPA disagrees with and opposes USDA's rejection of the IOM recommendation to include yogurt in WIC food packages. Yogurt provides an important option for those with lactose intolerance and delivers calcium and other nutrients to WIC participants. In fact, yogurt should be included in WIC food packages as a dairy option, similar to the approach proposed for soy-based beverages and without requirement for medical justification. GMA/FPA requests that USDA allow yogurt as a dairy option or substitution in WIC food packages as recommended by the IOM. In addition, a wider variety of yogurt containers (to accommodate participant preferences) should be allowed versus 32 oz containers. Yogurt in 32 oz containers

¹⁹ 71 FR 44825, stating 20% of WIC participants are African-American; 39% are Hispanic.

²⁰ Heyman, M. B. 2006. Lactose intolerance in infants, children, and adolescents. *Pediatrics* (118):1279-1280.

²¹ Wooten, W. and W. Price. 2004. The Role of Dairy and Dairy Nutrients in the Diet of African Americans. *J Natl Med Assoc* 96:1S.

generally is available only in plain or extremely limited flavor options. In addition, 32 oz containers are approximately 3 percent of the total yogurt market and are used almost exclusively for ingredient purposes. Smaller yogurt containers that meet other proposed criteria would provide needed nutrients and better ensure monthly consumption.

Another reason for including yogurt is that data indicate that food preferences established at 2-4 years of age predict preferences at 8 years.²² Thus, children can develop preference for additional dairy food options early that will carry throughout life. Because many women prefer yogurt for their dairy intake, inclusion of yogurt as a substitution for fluid milk in WIC food packages will enhance variety, provide needed nutrients, and allow an additional option for those with lactose intolerance.

Soy-based Beverages and Tofu

GMA/FPA supports the importance of having foods that are nutritionally and culturally appropriate for WIC participants. In the past several decades that the WIC program has been in operation, America has experienced dramatic shifts in ethnic and cultural diversity, as well as changing attitudes toward consumption of soy foods. We applaud USDA for including calcium-set tofu and fortified soy-based beverages ("soymilk") into WIC food packages. These foods provide economical, healthy sources of protein, calcium, fiber and other important nutrients in WIC participants' diets. Also, these products may be consumed by individuals with milk allergy and provide an additional choice for those with lactose intolerance.

However, GMA/FPA believes that the USDA proposed requirement of medical documentation for soy-based beverages will create a barrier to participant choice (Food Package IV). Such documentation is not necessary and is a misuse of scarce program resources.

GMA/FPA has substantial concerns about the proposed nutrient requirements for fortified soy-based beverages ("soymilk") to be authorized for purchase by WIC participants. We understand that nutrient requirements were determined using whole milk as a benchmark, but the nutrient levels are not consistent with nutritional concerns of the program or calcium-fortified products in the marketplace. USDA's protein requirement of 8 grams per cup is not consistent with products in the marketplace. Additionally, protein is not a priority WIC nutrient and calcium delivery is sufficient in current products. Related to other nutrients, we support vitamin A and Vitamin D requirements, but for other nutrients, such as

²² Summary of the Presentations at the Conference on Preventing Childhood Obesity, December 8, 2003. Sally Ann Lederman, Sharon R. Akabas, Barbara J. Moore, Margaret E. Bentley, Barbara Devaney, Matthew W. Gillman, Michael S. Kramer, Julie A. Mennella, Andrew Ness, and Jane Wardle. 2004. *Pediatrics* (114):1146-1173.

potassium, parity to dairy products is not required, as the difference is not significant.

Whole Grain Cereals, Whole Grain Breads, and Whole Grains

GMA/FPA supports the USDA proposal of 36 oz cereal per month in WIC food packages. We support the addition of whole grain breads and whole grains to WIC food packages. However, because of product density many loaves of whole grain breads are not available in one pound loaves (18 oz, 24 oz, and other amounts). Additionally, oatmeal is sold predominantly in an 18 oz cylinder. We recommend that 18 oz and 24 oz packages of whole grain bread and similar packaging options for other whole grains be allowed in WIC food packages. These package amounts will eliminate the need for new packaging requirements.

Fish

GMA/FPA supports the USDA proposal to retain canned tuna and expand fish options to include canned salmon and canned sardines in WIC food packages. Fish provides protein, vitamins, minerals, and beneficial fatty acids, DHA (docosahexaenoic acid) and EPA (eicosapentaenoic acid), for which scientific evidence is emerging to demonstrate value in childhood cognitive development. Flexibility to choose among several types of fish will accommodate participant cultural and food preferences and needs.

Dried and Canned Beans and Peas (mature legumes)

GMA/FPA supports USDA recommendation to allow both dried beans and peas and canned beans in WIC food packages. The amount of canned beans proposed provides equivalency between dried beans and canned beans and will accommodate participant preferences and needs. Although canned baked beans (beans in sauce) are allowed for individuals with limited cooking facilities, we believe they could assist all WIC participants to incorporate beans in their diet.

Peanut Butter

GMA/FPA supports USDA recommendation to maintain peanut butter in WIC food packages.

Eggs

Although protein is no longer a nutrient required in food packages for WIC participants, FPA and GMA do not oppose the USDA proposal for eggs in WIC food packages. We support the allowance of dried egg mix, pasteurized liquid whole eggs, or hard-boiled eggs, depending upon participant preferences.

Summary

Our comments support the value of the WIC program in promoting optimal pregnancy outcome, supporting breastfeeding, and fostering optimal child growth and development. As USDA moves to finalize regulations for WIC food packages,

the Department has a unique opportunity to make healthy food choices available to participants that not only help address immediate nutritional needs, but also help promote the development of healthy life-long dietary habits. GMA/FPA urges USDA to carefully consider our recommendations to move beyond the cost-neutral framework and seek increased WIC program funding to the fullest extent possible; collect systematic program data on revised WIC food packages; expand and target education and counseling to cover both nutrition and physical activity; and accommodate a wide variety of food choices that maximize personal and cultural preferences. Going further will not only yield positive and immediate results to WIC participants, but will promote a healthy life-long diet, promote health, and prevent disease.

Thank you for this opportunity to comment on this important issue.

Sincerely,



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